

**REMARKS:**

This is a full and timely response to the outstanding final office action mailed October 17, 2008. Reconsideration and allowance of the application and pending claims are respectfully requested.

**Interview Summary:**

A telephone interview was held with the Examiner on November 24, 2008. Agreement was not reached on the claims.

**Claim Amendments:**

Independent Claims 1, 11, 21, and 26 have been amended. Support for the amendments to independent Claims 1, 11, 21, and 26 can be found at least at page 5 as originally filed. Various other claims are amended as indicated in the previous pages.

**Claim Rejections – 35 U.S.C. §103(a):**

The Examiner at page 2 of the office action rejected claims 1-4, 6-8, 10-14, 16-18, 20-23, 25-28, 30-31 and 33-39 under 35 U.S.C. §103(a) as being unpatentable over Balogh (US Publication 2001/0024953) in view of Russell (US Publication 2004/0249915) and Campen (US Publication 2004/0198335).

The Examiner at page 10 of the office action rejected claims 5, 15 and 29 under 35 U.S.C. §103(a) as being unpatentable over Balogh, Russell, Campen and further in view of Daigle et al. (US Publication 2004/0198335). These rejections are respectfully traversed below.

The application in hand in an exemplary embodiment is directed to a location dependent control of a mobile cellular telephone. The mobile telephone allows the user to choose, using the user interface, whether or not the configuration parameter settings should be automatically updated without any user interaction or whether the user should be prompted to manually accept the update via the user interface. The database may additionally define 'protected' configuration parameter settings. These

are particular settings that should not be allowed to be altered by the updating process. The mobile telephone may provide an option that the user can select via the user interface for designating certain settings as protected. Thus a user can protect the settings for certain applications, such as corporate email settings from updating.

The Examiner at page 3 of the office action agrees that Balogh and Russell in combination fail to teach the features of claim 1 but the Examiner asserts that Campen makes it obvious. The combination is not seen to make obvious during performance of a parameter setting update process at least one parameter is updated and at least one parameter setting is a user specified protected parameter setting that is not allowed to be changed as recited now in claim 1.

Campen discloses an administrator remotely controlling wireless devices by transmitting control parameters to the wireless device. The control parameters may be transmitted from the administrator to a wireless device. When the control parameters are received from the administrator, the control parameters may be recovered from the transmission and integrated within the program of instructions such that a recipient wireless device operates according to the control parameters (paragraphs [0004]-[0005]). Campen does not disclose during performance of a parameter setting update process at least one parameter is updated and at least one parameter setting is a user specified protected parameter setting that is not allowed to be changed as recited now in claim 1.

The Examiner agrees that **Campen discloses that all control parameters are updated but does not disclose that a portion of its control parameter can be updated** (Remarks in Interview Summary dated 11/28/2008). Thus the amended claim 1 is seen to patentably distinguish for reason the Examiner agrees.

Campen in Fig. 1 and Fig. 2 discloses that an administrator 110 may be capable of remotely controlling a wireless device 120-140 by transmitting control parameters to the wireless device 120-140, without the necessity or support from a

service provider. Unauthorized control parameter changes may be prevented by including an authentication identifier with the transmission from the administrator 110 to the wireless devices 120-140 (paragraph [0014]). The control parameters may be transmitted to a desired wireless device, preferably through a wireless transmission. The intended wireless device may receive the wireless transmission and recover the control parameters. After integration of the control parameters, the wireless device may operate according to the control parameters (paragraph [0018]-[0019]). Campen does not disclose that some set of parameter settings are updated and some are not, it instead discloses that that all control parameters are updated.

Clearly, there is no disclosure here, or elsewhere in Campen reciting claim 1 during performance of a parameter setting update process at least one parameter is updated and at least one parameter setting is a user specified protected parameter setting that is not allowed to be changed. No other reference is seen to cure this shortfall of the asserted Balogh, Russell, Campen combination.

Based on the above explanations and arguments, it is respectfully submitted that a combination of Balogh, Russell, Campen and Daigle et al. cannot be seen to render obvious claim 1. The Applicant respectfully asserts that as claims 2 – 8, 10 are dependent on claim 1 and therefore should be allowable at least for that dependency. The applicant respectfully requests reconsideration and removal of the rejections of claims 1-8 and 10. Therefore, the above claims should be allowed.

Independent claims 11, 21 and 26 recites similar to claim 1, and so claims 11, 21 and 26 and their dependent claims 12-18, 20, 22-23, 25 and 27-31, 33-39 should also be allowed for reasons detailed above with respect to claim 1.


Applicant respectfully requests that all the rejections be withdrawn and these claims should now be passed to issue.

### CONCLUSION

For the foregoing reasons, the Applicants believe that each and every issue raised in the Office Action has been adequately addressed and that this application is in condition for allowance.

The undersigned representative welcomes the opportunity to address any matters that may remain via teleconference in order to move this application to issue.

Respectfully submitted:

  
Jerry Stanton

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December 22, 2008  
Date

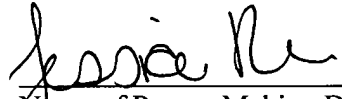
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